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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/773,588
	Filing Date	February 6, 2004
	First Named Inventor	Louis Chupak, et al.
	Art Unit	Unknown
	Examiner Name	Not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	PC25656A

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement as Provided by 34 CFR 1.97(b) Return Postcard
Remarks AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 21-0718 IS HEREBY GIVEN.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Heidi M. Berven
Signature	
Date	May 3, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date _____		
Typed or printed	Wanda C. Bland	
Signature		Date May 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Louis Chupak, et al.

EXAMINER : Unknown

SERIAL NO. : 10/773,588

ART UNIT : Unknown

FILED : February 6, 2004

PAPER NO :

FOR : "Antibacterial Agents"

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

The Information Disclosure Statement submitted herewith is being filed before the mailing of the first Office Action on the merits.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08 (1449), marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Respectfully submitted,

Date:

May 3 2004

By:

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/773,588
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25656

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,313,307	11-06-2001	Ennis, et al	
		US- 6,051,716	04-18-2000	Hutchinson, et al	
		US- 5,614,535	03-25-1997	Juraszyk, et al	
		US- 5,565,571	10-15-1996	Barbachyn, et al	
		US- 6,271,383	08-07-2001	Gravestock, et al	
		US- 5,981,528	11-09-1999	Gravestock, et al	
		US- 5,523,403	06-04-1996	Barbachyn, et al	
		US- 5,968,962	10-19-1999	Thomas, et al.	
		US- 5,627,181	05-06-1997	Riedl, et al	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 01/46185	06-28-2001	Hester, et al		
		WO 96/15130	05-23-1996	Barbachyn, et al		
		WO 95/25106	09-21-1995	Yamada, et al		
		WO 97/09328	03-13-1997	Hutchinson, et al		
		WO 99/40094	08-12-1999	Raddatz, et al		
		WO 98/54161	12-03-1998	Hester, et al		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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(Use as many sheets as necessary)

Sheet	2	of	3
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Application Number	10/773,588
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25656A

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FOREIGN PATENT DOCUMENTS						T ⁶
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
	/	DE 198 05 117	08-12-1999	Raddatz, et al		
		DE 199 01 306	07-20-2000	Bartel, et al		

Date Considered

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/773588
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al.
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25656A

Sheet	3	of	3
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NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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